



JPW 1635

Docket No. 0575/65219-A/JPW/PJP/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Michael R. Rosen et al.

Serial No. : 09/898,417 Examiner: B. Whiteman

Filed : July 3, 2001 Group Art Unit: 1635

For : A HIGH THROUGHPUT BIOLOGICAL HEART RATE THAT IS
MOLECULARLY DETERMINED

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Date: May 3, 2005

Sir:

Transmitted herewith is an amendment to the above-identified application.

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been previously established.

A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

No additional fee is required.

The filing fee is calculated as follows:

	Number after Amendment	Highest Number Previously Paid For ¹	Number of Extra Claims Presented	RATE		FEE	
				Small Entity	Other Entity	Small Entity	Other Entity
Total Claims	8 -	* 20 =	*** 0 X	\$25	\$50	=	0
Independent Claims	1 -	** 1 =	*** 0 X	\$100	\$200	=	0
Multiple Dependent Claim(s) Presented For First Time Yes <input checked="" type="checkbox"/> No				\$180	\$360	=	0
				TOTAL ADDITIONAL FEE \$ 0			

¹ The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims originally filed.

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0".

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Amendment Transmittal Letter

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The following are also enclosed:

One additional copy of this Amendment Transmittal Letter

Return Receipt Postcard

An Information Disclosure Statement, including Form PTO-1449

(Copies of citations included: Yes _____ No _____)

and a fee of \$ _____ included)

A Petition for an Extension of Time, including a fee of
\$ _____ for a Petition for _____ Month(s) Extension of Time

Other (identify): _____

THE TOTAL FEE DUE IS \$ 0 .

A check in the amount of \$ _____ is enclosed.

Please charge Deposit Account No. _____ in the amount of
\$ _____.

The Commissioner is hereby authorized to charge any additional fees
required or credit any overpayment to Deposit Account No. 03-3125
as follows:

Fees under 37 C.F.R. §1.16 for the presentation of extra claims
 Patent application processing fees under 37 C.F.R. §1.17

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Peter J. Phillips Date
Reg. No. 29,691

5/3/04

John P. White
Registration No. 28,678
Peter J. Phillips
Registration No. 29,691
Attorneys for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400



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May 3, 2005

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT IN RESPONSE TO MARCH 18, 2005
OFFICE ACTION

This Amendment is submitted in response to the Office Action issued March 18, 2005 by the U.S. Patent and Trademark Office in connection with the above-identified application. A response to the March 18, 2005 Office Action is due May 18, 2005. Accordingly, this Amendment is being timely filed.